

WPA 9900 of 2020
(Through Video Conference)

(Prasanta Chel Vs. State of West Bengal & Ors.)

Mr. Nirmalya Ray

.....For the petitioner

Mr. T. M. Siddiqui

Mr. D. Ghosh

.....For the State

The petitioner is aggrieved by the fact that he has not received the communication dated 9th December, 2019 from the School Education Department, on his representation for employment.

Be that as it may, Mr. Siddiqui, learned counsel appearing for the State has furnished a copy of the said letter to this Court as well as to the petitioner.

The sum and substance of the grievance of petitioner is that he is physically disabled and has applied for a job before the Commissioner (Person with disabilities), the School Education Department as also the office of the District Magistrate.

The position in law is quite clear that all persons including physically handicapped persons participate in the process of recruitment conducted by the concerned department of the State. Special provisions for reservations and concessions are provided to physically handicapped people and the petitioner could take benefit thereof after such participation.

The petitioner cannot claim employment merely because he is physically disabled. The communication to the petitioner dated 9th December 2019 clearly indicates that the employment to the School Education Department is based on recommendations of the West Bengal School Service Commission after a completion of procedure prescribed by law.

With the aforesaid observations, the writ petition is disposed of.

There shall, however, be no order as to costs.

The communication dated 9th December, 2019 along with annexure is taken on record.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)